

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES E. SMITH, :
: :
Petitioner : No. 1:17-CV-00427
: :
vs. : (Judge Kane)
: :
COMMONWEALTH OF PENNSYLVANIA, :
et al., :
: :
: :
Respondents : :

ORDER

AND NOW, this 28th day of April 2017, in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus is dismissed without prejudice.
2. A certificate of appealability is denied. 28 U.S.C. § 2253(c).
3. The Clerk of Court is directed to close this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania

